

## Article - Real Property

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§14–127.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Consideration” includes:
  - (i) A fee;
  - (ii) Compensation;
  - (iii) A gift, except promotional or advertising materials for general distribution;
  - (iv) A thing of value;
  - (v) A rebate;
  - (vi) A loan; or
  - (vii) An advancement of a commission or deposit money.
- (3) “License” has the meaning stated in § 10–101 of the Insurance Article.
- (4) “Residential real estate transaction” means a transaction involving a federally related mortgage loan as defined in 12 U.S.C. § 2602 and 12 C.F.R. § 1024.2.
- (5) “Title insurance producer” has the meaning stated in § 10–101 of the Insurance Article.
- (b) This section does not prohibit:
  - (1) The payment of a commission to a title insurance producer who has a license; or
  - (2) The referral of a real estate settlement business or a professional fee arrangement between attorneys, if the referral or professional fee arrangement does not violate § 17–605 of the Business Occupations and Professions Article.

(c) (1) A person who has a connection with the settlement of real estate transactions involving land in the State may not pay to or receive from another any consideration to solicit, obtain, retain, or arrange real estate settlement business.

(2) A person may not be considered to be in violation of paragraph (1) of this subsection solely because that person is a participant in an affiliated business arrangement, as defined in 12 U.S.C. § 2602, and receives consideration as a result of that participation as long as that person complies with 12 U.S.C. § 2607(c)(4), 12 C.F.R. § 1024.15, and Appendix D to 12 C.F.R. Part 1024.

(d) A person who offers settlement services in connection with residential real estate transactions involving land in the State shall comply with 12 U.S.C. § 2607(c)(4), 12 C.F.R. § 1024.15, and Appendix D to 12 C.F.R. Part 1024, as applicable, regarding disclosures of affiliated business arrangements, as defined in 12 U.S.C. § 2602.

(e) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 6 months or a fine not exceeding \$1,000 or both.

(f) Each violation of this section is a separate violation.

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